

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

DALE BARNES,

Plaintiff,

v.

CASE NO. 10-cv-12501
HON. ROBERT H. CLELAND
MAG. JUDGE MARK A. RANDON

Melvindale Police D/Lt. CHAD HAYSE,
Melvindale Police Ofc. MIKE WELCH,
Melvindale Police Lt. DAVE BOWERMAN,
Melvindale Police Ofc. JOHN ALLEN,
Melvindale Police Sgt. MILLER,
Melvindale Chief of Police RICK CADEZ and
THE CITY OF MELVINDALE, a Municipal Corporation,

Defendants.

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RACINE M. MILLER (P72612)
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PROTECTIVE ORDER

At a session of said Court, held in the
Federal Courthouse for the United States
District Court, Eastern District of Michigan,
Southern Division, on: 12/13/10

**PRESENT: THE HON. ROBERT H. CLELAND
U.S. District Court Judge**

IT IS HEREBY ORDERED that the documents produced by or on behalf of **DEFENDANTS, CITY OF MELVINDALE, CHAD HAYSE, MIKE WELCH, DAVE BOWERMAN, JOHN ALLEN, SGT. MILLER and RICK CADEZ**, shall be subject to the following protective conditions:

1. The parties hereby recognize that the information / documents to be released by the Defendant, City of Melvindale, are confidential information / documents regarding police policies and procedures, private, confidential employee files / materials, and that the dissemination of said information / documents is prohibited.

2. The information / documents shall be used solely and exclusively for purposes of this lawsuit. Such information shall not be used in or for other cases, proceedings or disputes, or for any municipal, commercial, business, competitive or any other purpose whatsoever.

3. The aforementioned information / documents may not be disclosed to any person other than parties, counsel of record for the respective parties to this litigation, the paralegal and clerical staff of same, expert witnesses or consultants engaged by counsel, and the court and court personnel, under such safeguards as the court may direct so as to preserve and to protect the confidentiality of information / documents referenced herein.

4. All the persons to whom this confidential information and/or documents are disclosed are hereby enjoined from using the same except for preparation for trial and in the trial of this action (under such safeguards as the court may require) and from disclosing the same to any other person except as provided herein. A breach of the provisions of this Order shall be subject to appropriate sanctions, in the discretion of the court, as authorized by any statute, rule or the inherent power of the court, or as otherwise provided by law.

5. The provisions of this Order shall survive and remain in full force and effect after the entry of final judgment (including any appellate proceedings) in this case, whether by settlement or litigation.

6. The agreement of the parties embodied in this Order does not constitute an admission or agreement that any document or information is admissible as evidence in this case. Designation of any information as subject to this Order shall have no meaning or effect whatsoever with respect to the substantive issues in this proceeding or the claim or defenses of any party hereto.

7. At the conclusion of the litigation, all produced documents / materials produced shall be returned to the Defendant, City of Melvindale.

IT IS SO ORDERED.

s/Robert H. Cleland
U.S. DISTRICT COURT JUDGE

APPROVED AS TO FORM AND CONTENT:

By: **/s/David A. Robinson (w/consent)**
DAVID A. ROBINSON (P38754)
RACINE M. MILLER (P72612)
Attorneys for Plaintiff

By: **/s/Audrey J. Forbush**
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